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April 9, 2019

VIA EMAIL: JWilliams@perkinscoie.com

VIA U.S. POSTAL SERVICE:

James F. Williams, Esq.
Perkins Coie LLP
102 Third Avenue, Suite 4900
Seattle, WA 98101-3099

Re: *In re Giga Watt, Inc.*, Case No. 18-03197 FPC 11
U.S. Bankruptcy Court, Eastern District of Washington

Dear Mr. Williams:

This firm represents Mark D. Waldron, the duly-appointed Chapter 11 Trustee (the “Trustee”), in the above-referenced bankruptcy case (the “Bankruptcy Case”). On November 19, 2019 (the “Petition Date”), Giga Watt, Inc. (the “Debtor”) commenced the Bankruptcy Case by filing a voluntary petition for relief pursuant to sections 101, *et seq.*, title 11 of the United States Code (the “Bankruptcy Code”). On January 23, 2019, the Court approved the Trustee’s appointment pursuant to that certain *Order Approving Appointment of Chapter 11 Trustee* [Docket. No. 146].

I am informed that Perkins Coie represented the Debtor prior to the Petition Date. This representation may have included, without limitation, advice regarding an initial coin offering and related escrow.

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April 9, 2019

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The Bankruptcy Code gives the Trustee wide-ranging management authority over the Debtor as well as broad investigative powers with respect to the Debtor's acts, conduct, assets and liabilities. *See* 11 U.S.C. § 542(e) (regarding obligation of attorneys to turn over to a trustee recorded information, including, but not limited to, books, documents, records, and papers, relating to the debtor's property or financial affairs); *Commodity Futures Trading Comm'n v. Weintraub*, 471 U.S. 343, 356, 105 S. Ct. 1986, 1995, 85 L. Ed. 2d 372 (1985) (in bankruptcy, control of the attorney-client privilege "passes to the trustee"); Fed. R. Bankr. P. 2004 (relating to the broad discovery powers of a bankruptcy trustee).

On behalf of the Trustee, I respectfully request that you deliver to me all documents, defined in the broadest sense, relating to the Debtor that are in the possession, custody, control of Perkins Coie. Please contact me to discuss a mutually agreeable and reasonable schedule of production.

Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. R. Firth, III", with a stylized flourish at the end.

WILLIAM R. FIRTH, III, ESQ.

WRF:lf

cc: Mark D. Waldron, Esq.
Pamela M. Egan, Esq.

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From: [Pamela M. Egan](#)
To: [Pamela M. Egan](#)
Subject: FW: Giga Watt
Date: Thursday, October 20, 2022 6:08:00 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Pamela M. Egan | Partner | Potomac Law Group, PLLC
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From: Pamela Egan <pegan@ckrlaw.com>
Sent: Thursday, June 20, 2019 5:38 PM
To: Larson, Bates McIntyre (Perkins Coie) <BLarson@perkinscoie.com>
Cc: Pamela M. Egan <pegan@potomaclaw.com>
Subject: Re: Giga Watt

 **EXTERNAL**

Dear Ms. Bates McIntyre,

Thank you. Please note my new address on the cc: line:
pegan@potomaclaw.com. I am continuing to represent the Chapter 11 Trustee. My official start date at the Potomac Law Group is Monday, June 24, 2019. However, I am transitioning now. Therefore, please begin using my new email address.

The Trustee's investigation is ongoing. Relevant to Perkins Coie, we are interested in the relationship between Giga Watt Pte., Ltd, Cryptonomos, Inc., and Giga Watt, Inc. We are not finding a distinction between Giga Watt Pte.,

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Ltd. and Giga Watt, Inc. other than in paper filed with the Singaporean and Washington records. David Carlson testified on May 23, 2019, before the US Bankruptcy Court, ED WA, that Giga Watt Pte., Ltd was set up in order to avoid American securities laws.

David Carlson also recently told the Trustee and me that money for purchased tokens was released from escrow after the construction of certain pods at the Debtor's Pangborn site but before there was any electricity. That release is odd in light of my understanding that the escrow was designed to help the tokens pass muster as utility tokens and therefore not securities. The point though of the utility token is that the token is backed, so to be speak, by immediate utility -- in this case the immediate ability to mine. Without power, that was impossible. The Trustee would like to better understand this escrow release, including, the amount and to whom those proceeds were transferred.

Generally, it appears that investment proceeds went directly to Giga Watt Pte Ltd. Giga Watt Pte Ltd then either gave or lent the proceeds to Giga Watt, Inc.

Cryptonomous has been identified in the Russian press (lenta.ru) as engaged in a series of fraudulent schemes.

Management of Giga Watt has fled, except for the former CEO David Carlson. He, in turn, tried to take one of the Debtor's facilities. We obtained a TRO and preliminary injunction to prevent that plan from succeeding.

Giga Watt Pte Ltd refuses to cooperate.

Best,

Pamela M. Egan

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Pamela M. Egan

Partner

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From: Larson, Bates McIntyre (Perkins Coie) <BLarson@perkinscoie.com>

Sent: Thursday, June 20, 2019 4:04 PM

To: Pamela Egan

Subject: RE: Giga Watt

Ms. Egan – I apologize for the delay in responding to your email. As I mentioned when we spoke by telephone, Giga Watt Inc. does not appear as a client in our conflicts database, and we have no record of an engagement letter with that entity. We did not represent that entity in connection with any coin or token offering or sale, or in connection with any transfer of assets preceding the bankruptcy filing as alleged in the Trustee's adversary proceeding. I am still attempting to determine whether I am able to provide you with any other information in response to your requests. Thank you for your patience. Regards, Bates

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Bates McIntyre Larson | Perkins Coie LLP

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PERKINScoie

From: Pamela Egan <pegan@ckrlaw.com>

Sent: Monday, June 17, 2019 5:35 PM

To: Larson, Bates McIntyre (CHI) <BLarson@perkinscoie.com>

Subject: Re: Giga Watt

Dear Larson,

I am following up on my question regarding whether or not Perkins Coie represented Giga Watt, Inc.

Pamela Egan

Pamela M. Egan

Partner

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From: Larson, Bates McIntyre (Perkins Coie) <BLarson@perkinscoie.com>
Sent: Tuesday, June 11, 2019 4:21 PM
To: Pamela Egan
Subject: RE: Giga Watt

Ms. Egan – Thank you for your patience, any my apologies for the delayed response to your email below. Can you please tell me if you have authority to act on behalf of either Cryptonomous or Giga Watt Pte., Ltd.? Regards, Bates

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From: Pamela Egan <pegan@ckrlaw.com>
Sent: Friday, May 24, 2019 3:19 PM
To: Larson, Bates McIntyre (CHI) <BLarson@perkinscoie.com>
Subject: Giga Watt

Following on our discussions, I would like to know whether your firm represented Giga Watt Pte., Ltd., Cryptonomous or both.

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Pamela M. Egan
Partner

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